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Letter dated 28 March 2006 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I have the honour to draw the attention of the Security Council to the recent developments in the conflict resolution process in Abkhazia, Georgia.

First of all I would like to thank the Secretary-General for the recent report. I am extending my appreciation to Special Representative of the Secretary-General and the head of the United Nations Observer Mission in Georgia (UNOMIG), Heidi Tagliavini, for her continued and tireless efforts to move the process forward. UNOMIG is in fact the single effective international mechanism for conflict resolution, and the continuation of its duty plays a crucial role. However, this body does not have the authority necessary to achieve on its own a full-scale political settlement of the conflict.

It is rather unusual to have a Security Council meeting on the situation in Georgia in March. The reason is well-known — during January, it happened to be impossible to achieve consensual language on a draft resolution and subsequently a roll-over resolution was adopted. Now, due to intense negotiations held by the Group of Friends of the Secretary-General in Geneva and Berlin, the text of a new draft is almost agreed. Although the final language has not yet been achieved, there still is a hope that the main principles agreed in the previous resolutions of the Security Council will be maintained. These principles are well-known — sovereignty and territorial integrity of Georgia, defining the status of Abkhazia within the State of Georgia, non-acceptance of a violent or military solution and the return of refugees and internally displaced persons. We appeal to the Friends of the Secretary-General to adhere to those cornerstone principles, as according to our information not all of them are eager to keep that in the resolution language.

The Government of Georgia is continually emphasizing its new approach towards peaceful conflict resolution, which is based on accepting the realities on the ground and the interests of all involved parties. Our new approach to building peace means, as a first step, opening a direct dialogue with the Abkhaz leadership, without intermediaries.

We continue to work towards a full-scale political settlement, based on universally recognized principles of international law and the Universal Declaration of Human Rights, as well as on recognition of the rights of all Georgians, Abkhaz and other ethnic groups who lived in the conflict zone before violence erupted.

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It is noteworthy that due to our efforts there have been positive developments in our bilateral relations. The possibility of economic exchange looks increasingly promising. The preliminary work for the rehabilitation of the Abkhaz segment of the Georgian railway has been carried out through the cooperation of Georgian and Abkhaz specialists. Another example is the collaboration between Georgian and Abkhaz specialists at the Enguri hydroelectric power station.

A focus on helping the population of Abkhazia, one of Georgia's opponents, one of the most significant elements of the Government of Georgia's new approach. The end of isolation will, in turn, facilitate democratic processes and create an atmosphere of mutual trust and respect between our societies.

Not everything in the conflict resolution process could be described in such an optimistic colour. Even more, I would say that nothing is moving in the right direction except the above-mentioned bilateral initiatives. And the most troublesome is the peacekeeping operation itself, which ostensibly conducted by the Commonwealth of Independent States (CIS), is carried out entirely by Russian military forces.

One can observe an increasing public distrust of the Russian peacekeeping forces in Georgian society. Part of this distrust is due to past efforts by the Russian peacekeepers to set the region and the rest of Georgia against each other. But a large part of the new distrust comes from a recognition that the existing format of the peacekeeping operations is simply no longer adequate to facilitate real reconciliation. When one considers that the majority of the population of Abkhazia has been granted Russian citizenship, it becomes clear that the peacekeeping force is not an impartial international formation carrying out the responsibilities spelled out in its mandate, but rather a force that works to artificially alienate the sides from one another. This, in turn, casts doubt on the effectiveness of the peacekeeping process carried out under the aegis of the United Nations.

Under the current peacekeeping format, the separatist Government is being steadily armed with modern military equipment. In 2005, with what we know was direct financial and material aid by the Russian defence and security services, no less than six large-scale military manoeuvres were carried out on the territory of Abkhazia, precisely in the zone of restricted armament. The militarization of the region, facilitated by the efforts of the Russian Federation, is rapidly consolidating the destructive potential of the de facto regime of Abkhazia.

There is an alarming trend in the increasing number of criminal offences where evidence shows that the culprits were the peacekeepers themselves. By our measure, in fact, 9 per cent of the total number of criminal acts in Abkhazia during the past year were committed by peacekeepers. From the beginning of the peacekeeping operation until the end of 2005, almost 2,000 persons were killed on the territory controlled by CIS peacekeepers, the overwhelming majority of those killed were ethnic Georgians. Already this year, three Georgians living in the conflict zone were shot with inhuman cruelty by Abkhaz police forces. There are cases where local criminals and peacekeepers have colluded, resulting in raids, trafficking and killing of ethnic Georgian civilians.

A major shift for the worse has been under way in the position of the Russian Federation as conflict mediator. These changes give the impression that this

particular member State of the Group of Friends is not so averse to the eventual annexation of the separatist regions as it outwardly claims.

The recent statements by high Russian officials suggesting the revision of Georgia's territory based on the Kosovo model are completely unacceptable to us, as they must be to the international community. This reckless and illogical intention threatens universally recognized principles of international law, and consequently fully undermines the role of the Russian Federation as an unbiased participant in the peace process. These statements once again make clear that what we are dealing with is not fundamentally an ethnic conflict, but rather one stemming from the Russian Federation's territorial ambitions against Georgia.

The Russian Federation continues seizing property in Abkhazia. I deliberately used the term "seizure" to describe the process of illegal acquisition of property, including possessions of internally displaced persons, by Government bodies and legal and physical persons of the Russian Federation. Needless to say, these acts are carried out in violation of international law and infringe the sovereignty of Georgia. They run counter to the resolutions of the Parliament of Georgia that have declared any transaction made with the Abkhaz separatist regime null and void.

No one can benefit from his own illegal acts, as we are told by international law. It appears that the imperative has its limitations if it concerns a permanent member of the Security Council. We are compelled to state again that the assumption of political and military control, together with the illegal seizure of property in Abkhazia, is having an effect, but of annexation. I have to make it clear that this process of indirect annexation of Abkhazia by the Russian Federation continues unabated.

Despite the current situation, we remain committed to the peaceful resolution of the conflict. From this commitment, we consider peace negotiations that aim to resolve issues of territorial integrity to be a vital process.

The surface calm that we observe in the region nowadays is only the appearance of stability, belied by the increasing militarization and unprecedented abuse of human rights.

It is our belief that the United Nations has the capacity to alter the peace process and move it into a new phase where true progress will become possible. We are certain that effective conflict resolution with Abkhazia requires changes in the current peacekeeping format and that there is a need to start a fundamentally new international peacekeeping operation. Moreover, it is noteworthy that the Parliament of Georgia is calling upon the Government for the re-evaluation of the rationale behind the Russian-led CIS peacekeeping operation in the conflict settlement process.

I must remind you that such an option was seriously considered by the Security Council at the very early stage of the discussions on the situation in the conflict zone. The report of the Secretary-General of 25 January 1994 (S/1994/80, para. 22) clearly states:

> If in these circumstances the Security Council decides that a larger international military presence in Abkhazia is desirable both to consolidate the ceasefire and to create conditions for the return of refugees and displaced persons, that presence could take a number of possible forms. Two in

particular have been discussed with my Special Envoy and with the group of Member States that have constituted themselves as the "Friends of Georgia". These two options are as follows:

(a) *Option 1*. The Council could establish a traditional United Nations peacekeeping force, under United Nations command and control, to operate initially in the areas of the Gali region and the Inguri and Psou rivers in order to carry out an effective separation of forces, to monitor the disarmament and withdrawal of armed units and, by its impartial presence in the Gali region, to help to create conditions that would be conducive to the return of refugees and displaced persons. The Russian Federation has informally circulated a proposal for the establishment of such an operation. Its preliminary calculation is that, in order to be effective, such a force might be in the order of 2,500 troops. In accordance with normal United Nations practice, this would be a multinational force and no one country would contribute more than about one third of its strength;

(b) *Option 2*. The Council could authorize a multinational military force, not under United Nations command and consisting of contingents made available by interested Member States, including the Russian Federation, to carry out the functions described in option 1 above. UNOMIG would be kept in being and entrusted with the tasks of monitoring the operations of the multinational force, liaising with the local authorities in Abkhazia and observing developments on the ground ...

Unfortunately, the second option was chosen, which appeared to be a historical mistake. It is time to rectify this wrong decision and turn the process towards introducing a real United Nations peacekeeping operation, thus opening the way to solving the conflict.

Once more, Georgian society as well as the international community have been waiting far too long for Abkhaz actions on a credible internally displaced person and refugee return process. It is about time for the United Nations to consider new options for how to set this process in motion.

I should be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(*Signed*) Revaz **Adamia**
Ambassador
Permanent Representative